

The Honorable James L. Robart

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RASHUAN T. NAIR,

Petitioner,

v.

UNITED STATE OF AMERICA,

Respondent.

NO. CV 19-1751 JLR

**STIPULATED SCHEDULING ORDER  
FOR SECTION 2255 MOTION**

**Noting Date: November 5, 2019**

This matter comes before the Court on Petitioner Rashaun T. Nair's motion under 28 U.S.C. § 2255 to vacate, set aside, or correct his sentence (Dkt. No. 1). The Court, having reviewed Petitioner's motion, hereby ORDERS that:

(1) By November 22, 2019, the United States shall file and serve an Answer in accordance with Rule 5 of the Rules Governing Section 2255 Cases in United States District Courts. As part of such Answer, the United States should state its position as to whether an evidentiary hearing is necessary, whether there is any issue as to abuse or delay under Rule 9, and whether petitioner's motion is barred by the statute of limitations.

1 (2) On the face of the Answer, the United States shall note the Answer for  
2 consideration on the fourth Friday after it is filed, and the Clerk shall note the Answer  
3 accordingly.

4 (3) Petitioner may file and serve a Reply to the Answer no later than December 6,  
5 2019.

6 (4) Filing and Service by Parties Generally

7 All attorneys admitted to practice before this Court are required to file documents  
8 electronically via the Court's CM/ECF system. Counsel are directed to the Court's  
9 website, [www.wawd.uscourts.gov](http://www.wawd.uscourts.gov), for a detailed description of the requirements for  
10 filing via CM/ECF. All non-attorneys, such as pro se parties and/or prisoners, may  
11 continue to file a paper original of any document for the Court's consideration. A party  
12 filing a paper original does not need to file a chambers copy. All filings, whether filed  
13 electronically or in traditional paper format, must indicate in the upper right hand corner  
14 the name of the Judge to whom the document is directed.

15 For any party filing electronically, when the total of all pages of a filing exceeds  
16 fifty (50) pages in length, a paper copy of the document (with tabs or other organizing  
17 aids as necessary) shall be delivered to the Clerk's Office for chambers. The chambers  
18 copy must be clearly marked with the words "Courtesy Copy of Electronic Filing for  
19 Chambers."

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1 Additionally, any document filed with the Court must be accompanied by proof  
2 that it has been served upon all parties that have entered a notice of appearance in the  
3 underlying matter.

4 DATED this 7<sup>th</sup> day of November, 2019.

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JAMES L. ROBART  
UNITED STATES DISTRICT JUDGE

Presented by:

s/ Amy Jaquette

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 4, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record.

s/ Josielynn Estrella  
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